

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

In re:

**Milton Vila Jr. and Jamie Renee Vila**

a/k/a Jamie R Sherrod

S.S. Nos.: xxx-xx-6489 and xxx-xx-0792

Mailing Address: 106 Fetlock Court, Raeford, NC 28376-

**Case No. 10-81603**

Debtors.

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on September 1, 2010.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: September 30, 2010

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt

N.C. State Bar No. 10212

Counsel for the Debtors

6616-203 Six Forks Rd.

Raleigh, N.C. 27615

Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

CH. 13 PLAN - DEBTS SHEET (MIDDLE DISTRICT - DESARDI VERSION)					Date: 9/29/08		
					Lastname-SS#: Vila-6489		
RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN					SURRENDER COLLATERAL		
Retain	Creditor Name	Sch D #	Description of Collateral		Creditor Name	Description of Collateral	
	None				None		
ARREARAGE CLAIMS					REJECTED EXECUTORY CONTRACTS/LEASES		
Retain	Creditor Name	Sch D #	Arrearage Amount	(See**)	Creditor Name	Description of Collateral	
	None			**			
				**			
				**			
				**			
	Wells Fargo	4	\$15,144	**			
				**			
FILED ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS							
Retain	Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	Wells Fargo	4	\$1,349	N/A	n/a	\$1,349.00	House & Lot
				N/A	n/a		
				N/A	n/a		
				N/A	n/a		
SID - SECURED DEBTS @ FMV							
Retain	Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	Ford Motor Credit	1		7.00			Judgment Lien on House & Lot
				7.00			
				7.00			
				7.00			
SID - SECURED DEBTS @ 100%							
Retain	Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
				7.00			
				7.00			
				7.00			
				7.00			
ATTORNEY FEE (Unpaid part)		Amount					
Law Offices of John T. Orcutt, P.C.		\$2,500					
SECURED TAXES		Secured Amt					
IRS Tax Liens							
Real Property Taxes on Retained Realty							
UNSECURED PRIORITY DEBTS		Amount					
IRS Taxes		\$1,677					
State Taxes							
Personal Property Taxes							
Alimony or Child Support Arrearage							
CO-SIGN PROTECT (Pay 100%)		Int. %		Payoff Amt			
All Co-Sign Protect Debts (See**)							
GENERAL NON-PRIORITY UNSECURED		Amount					
DMI=		\$10,517					
Other Miscellaneous Provisions							
Please allow 3 waivers upon request. Please pay out Equity Above Exemptions value @ \$10,517.							
PROPOSED CHAPTER 13 PLAN PAYMENT							
\$	\$1,994	per month for	60	months, then			
\$	N/A	per month for	N/A	months.			
Adequate Protection Payment Period:				2	months.		
Sch D # = The number of the secured debt as listed on Schedule D							
Adequate Protection = Monthly 'Adequate Protection' payment amt.							
** Co-sign protect on all debts so designated on the filed schedules.							
* = DMI x ACP				(Page 4 of 4)			
** = May include up to 2 post-petition payments.							
Ch13Plan_MD_(New_DeSardi) (8/24/08) © John T. Orcutt							

## **CERTIFICATE OF SERVICE**

I, Kaelyn McCollum, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Kaelyn McCollum

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Kaelyn McCollum

North Carolina Department of Revenue c/o NC Department of Justice Post Office Box 629 Raleigh, NC 27602-0629	US Attorney's Office (ED)** 310 New Bern Avenue Suite 800, Federal Building Raleigh, NC 27601-1461	Chevron and Texaco c/o Roundup Funding MS 550 PO Box 91121 Seattle, WA 98111-9221
Employment Security Commission Attn: Benefit Payment Control Post Office Box 26504 Raleigh, NC 27611-6504	AAFES Attn: Bankruptcy Unit Post Office Box 650062 Dallas, TX 75265-0062	Credit Bureau Post Office Box 26140 Greensboro, NC 27402-6140
Credit Bureau Post Office Box 26140 Greensboro, NC 27402	AAFES c/o Creditor's Bankruptcy Service Post Office Box 740933 Dallas, TX 75374-0933	Credit Management 4200 International Parkway Carrollton, TX 75007
NC Child Support Centralized Collections Post Office Box 900006 Raleigh, NC 27675-9006	AFNI, Inc. Post Office Box 3097 Bloomington, IL 61701-3097	Debt Recovery Solutions, LLC 900 Merchants Concourse Suite 106 Westbury, NY 11590-5114
Equifax Information Systems LLC P.O. Box 740241 Atlanta, GA 30374-0241	Assetcare, Inc. Post Office Box 15379 Wilmington, DE 19850-5379	Dish Network Dept. 0063 Palatine, IL 60055-0063
Experian P.O. Box 2002 Allen, TX 75013-2002	Cape Fear Valley Medical Cntr. Post Office Box 788 Fayetteville, NC 28302-0788	Embarq Post Office Box 7086 London, KY 40742-7086
Trans Union Corporation P.O. Box 2000 Crum Lynne, PA 19022-2000	Carolina Telephone 720 Western Boulevard Tarboro, NC 27886	Ford Motor Credit National Bankruptcy Service Cente Post Office Box 537901 Livonia, MI 48153-7901
ChexSystems Attn: Consumer Relations 7805 Hudson Road, Ste. 100 Woodbury, MN 55125	Cavalry Investments 7 Skyline Drive Suite 3 Hawthorne, NY 10532	Hoke County Tax Collector Post Office Box 217 Raeford, NC 28376-0217
Internal Revenue Service (ED)** Post Office Box 21126 Philadelphia, PA 19114-0326	Century Link Post Office Box 96064 Charlotte, NC 28296-0064	Household Bank Post Office Box 80084 Salinas, CA 93912-0084

HSBC  
c/o Roundup Funding  
MS 550  
PO Box 91121  
Seattle, WA 98111-9221

Portfolio Recovery Associates  
120 Corporate Boulevard  
Suite 100  
Norfolk, VA 23502

Time Warner Cable  
101 Innovation Avenue  
Suite 100  
Morrisville, NC 27560-8586

HSBC Card Services  
Post Office Box 5251  
Carol Stream, IL 60197-5251

Portfolio Recovery Associates  
Post Office Box 12914  
Norfolk, VA 23541-2914

Tricare North  
Post Office Box 870140  
Myrtle Beach, SC 29587-9740

Internal Revenue Service  
Post Office Box 21126  
Philadelphia, PA 19114-0326

PRA Receivables Management  
LLC agent of PRA  
PO Box 12914  
Norfolk, VA 23541

US Attorney's Office  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858

NCO Fin/22  
Post Office Box 41448  
Philadelphia, PA 19101-1448

RJM Acquisitions Funding LLC  
575 Underhill Blvd. Ste 224  
Syosset, NY 11791

US Department of Education  
Post Office Box 5202  
Greenville, TX 75403-5202

NCO Financial Services  
507 Prudential Road  
Horsham, PA 19044

Roundup Funding  
MS 550  
PO Box 91121  
Seattle, WA 98111-9221

US Department of Education  
Post Office Box 13328  
Richmond, VA 23225-0328

NCO Financial Systems  
Post Office Box 4911  
Department DD  
Trenton, NJ 08650-4911

Karen Smith  
929 Prospect Road  
28376

US Department of Education  
Direct Loan Servicing Center  
Post Office Box 5609  
Greenville, TX 75403-5609

North Carolina Department of Revenue  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

Sprint PCS  
Customer Care  
Post Office Box 8077  
London, KY 40742-8077

Veterans Administration  
Regional Office  
251 North Main Street  
Winston-Salem, NC 27155

North Carolina Dept of Revenue  
Post Office Box 1168  
Raleigh, NC 27602-1168

SunCom Wireless  
Post Office Box 190028  
Charleston, SC 29419-9028

Wells Fargo Home Mortgage  
MAC X2501-01D  
One Home Campus  
Des Moines, IA 50328

North Carolina Employment Security  
Commission  
Post Office Box 26504  
Raleigh, NC 27611-6504

Time Warner Cable  
Post Office Drawer 40508  
Fayetteville, NC 28309-0508

Wells Fargo Home Mortgage  
Post Office Box 1819  
Newark, NJ 07101-1819

Wells Fargo Home Mortgage  
1 Home Campus  
Des Moines, IA 50329

Wells Fargo Home Mortgage, Inc  
2701 Wells Fargo Way  
Minneapolis, MN 55467-8000

Wells Fargo Mortgage  
1003 E Brier Drive  
San Bernardino, CA 92408-2862

West Asset Management  
7171 Mercy Road  
Omaha, NE 68106